

House
REPUBLICAN
Conference

FloorPrep

Legislative Digest

Tuesday, September 16, 1997

John Boehner
Chairman
8th District, Ohio

*House Meets at 10:30 a.m. for Morning Hour
and 12:00 Noon for Legislative Business
(No Votes Expected Before 2:00 p.m.)*

Anticipated Floor Action:

- H.R. 1254—Designating the John N. Griesemer U.S. Post Office Building**
**H.Con.Res. 95—Commending American Airmen Held as Political Prisoners at
Buchenwald During World War II**
**H.Con.Res. 109—Honoring the Contributions Jimmy Stewart Made to the
Nation**
H.R. 1903—Computer Security Enhancement Act
S. 910—Earthquake Hazards Reductions Act
H.R. 824—Designating the Howard T. Markey National Courts Building
S. 1000—Designating the Robert J. Dole United States Courthouse
H.R. 643—Designating the Carl B. Stokes United States Courthouse
H.R. 994—Designating the Kika de la Garza U.S. Border Station
**H.Con.Res 134—Authorizing the Use of the Capitol Rotunda to Allow
Members of Congress to Receive His All Holiness Patriarch Bartholomew**
S. 562—Senior Citizen Home Equity Protection Act
**H.R. 2016—FY 1998 Military Construction Appropriations Act Conference
Report**
**Motion to go to Conference on H.R. 2159, FY 1998 Foreign Operations
Appropriations Act**
H.R. 2264—FY 1998 Labor, Health and Human Services Appropriations Act



Bills Considered Under Suspension of the Rules

Floor Situation: The House will consider the following 11 bills under suspension of the rules as its first order of business today. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

H.R. 1254 names the U.S. Post Office Building located at Bennett and Kansas Avenue in Springfield, Missouri, after John N. Griesemer. Mr. Griesemer was named by President Reagan to serve on the U.S. Postal Service Board of Governors in 1984, where he served as chairman of the board for two years and vice chairman for three years. After college graduation and service in the U.S. Air Force, Mr. Griesemer returned to Missouri to work for his family business, Griesemer Stone Company, where he served as president and director until his death in 1993. Mr. Griesemer balanced a successful career with family life and a dedication to community service. The bill was introduced by Mr. Blunt and was discharged from the Government Reform & Oversight Committee.

H.Con.Res. 95 requests that the president issue a proclamation commending the 82 American airmen held as political prisoners at the Buchenwald concentration camp during World War II for their service, bravery, and fortitude. The resolution was introduced by Mr. Weldon (FL) and was discharged from the Government Reform & Oversight Committee.

H.Con.Res. 109 recognizes the many talents of the late James M. (Jimmy) Stewart. It honors the artistic, military, and political contributions that he made to the nation. Mr. Stewart made more than 80 movies, including comedies, westerns, and suspense. Besides being an entertainer, Mr. Stewart served his country with distinction in World War II and had a lifelong interest and role in national politics. In 1985, President Ronald Reagan awarded Jimmy Stewart the nation's highest civilian honor, the Presidential Medal of Freedom. The resolution was introduced by Mr. King and discharged from the Government Reform & Oversight Committee.

H.R. 1903—Computer Security Enhancement Act amends the 1987 Computer Security Act (*P.L. 102-235*) to address modern day computer and computer network security problems, recommend standards to fix security vulnerabilities, and provide a clearinghouse for the public on electronic information security. Specifically, the bill (1) requires the National Institute of Standards and Technology (NIST) to develop computer security standards and guidelines for the federal government; (2) authorizes NIST to reserve \$750,000 for a new computer science fellowship program for students to study computer security; (3) authorizes \$2 million for the independent Computer System Security and Privacy Advisory Board to hold public hearings and make formal recommendations to the Commerce Department regarding proposed regulations; (4) promotes the use of commercial encryption products (i.e., scrambling methods to protect electronic information) in federal agencies; and (5) requires NIST to test foreign encryption products. CBO estimates that enactment will cost the federal government \$35 million over the next five years, assuming appropriation of the authorized amounts. The bill was introduced by Mr. Sensenbrenner and ordered reported by the Science Committee by voice vote.

S. 910—Earthquake Hazards Reductions Act authorizes \$212 million over the next two years for the 1977 Earthquake Hazards Reduction Act (*P.L. 95-124*), which develops emergency responses to earthquakes, performs seismic and geological research, and develops building and lifeline standards to minimize the impact of earthquakes. Specifically, the bill authorizes (1) \$43 million for the

Federal Emergency Management Agency (FEMA); (2) \$110 million for the U.S. Geological Survey (USGS); (3) \$61 million for the National Science Foundation; and (4) \$4 million for the National Institute of Standards and Technology. The bill also directs the NSF to distribute Earth science education materials for grades K-12. Finally, the bill authorizes construction of a real-time earthquake hazard warning system that will provide immediate earthquake warnings to people outside the area of immediate shock and especially to activities that place the public in the greatest danger (e.g., trains). CBO estimates that enacting S. 910 will result in additional discretionary spending of \$218 million over the next five years, assuming appropriation of the authorized amounts. The bill was submitted to the House on September 3, 1997. The Senate approved the bill by unanimous consent and the House Science Committee ordered a similar bill (H.R. 2249) reported by voice vote.

H.R. 824 names the federal courthouse located at 717 Madison Place, N.W., in Washington, D.C. after Howard T. Markey. Judge Markey presided on the United States Court of Appeals for the Federal Circuit from its creation in 1982, where he served as its first Chief Justice. His monumental contribution to the American judicial system was his argument for the creation of the Federal Circuit. He argued that the nation would be better served if appeals in the domains of intellectual property law, federal claims, and federal civil service matters were taken to a single U.S. Court of Appeals for the Federal Circuit. The bill was introduced by Mr. Hyde and was reported by the Transportation Committee by voice vote.

S. 1000 names the federal courthouse at 500 State Avenue in Kansas City, Kansas, after Robert J. Dole. Mr. Dole spent most of his life devoted to public service. In 1951, he was elected to the Kansas State Legislature and served in various state government positions before running for Congress. In 1961, he was elected to the U.S. House of Representatives, where he served until he was elected to the Senate in 1968. He was picked to be President Gerald Ford's running mate in the 1976 presidential election, and later mounted three unsuccessful bids for the presidency himself in 1980, 1988, and 1996. Senator Dole served as Majority Leader from 1981-86 and again from January 1995 until June 1996, when he resigned to concentrate on his presidential election campaign. Currently, Mr. Dole is a lobbyist with the Washington law firm of Verner, Liipfert, Bernhard, McPherson and Hand. The bill was introduced by Senator Roberts and passed the Senate by unanimous consent on July 28.

H.R. 643 names the federal courthouse to be constructed at the corner of Superior and Huron Roads, in Cleveland, Ohio, after Carl B. Stokes. In 1962, he was the first African-American Democrat elected to the Ohio General Assembly. Elected Mayor of Cleveland in 1967, he was the first African-American to become a mayor of a major American city. Mr. Stokes also served as a judge on the Cleveland Municipal Court, ambassador to the African Island Republic of Seychelles, and liaison to the Department of State and the Clinton Administration on behalf of the African Continent. Mr. Stokes (1927-1996) dedicated a great part of his life to public service and became a distinguished leader in his community and the nation. The bill was introduced by Mr. LaTourette and was reported by the Transportation Committee by voice vote.

H.R. 994 names the United States border station in Pharr, Texas, after Kika de la Garza. Congressman de la Garza served the people of the 15th Congressional District of Texas for 32 years. He was a member of the Agriculture Committee where he served as chairman from 1981-1994, becoming the first Hispanic-American to serve as the chair of a major congressional committee. The bill was introduced by Mr. Traficant and was reported by the Transportation Committee by voice vote.

H.Con.Res. 134 authorizes the use of the Capitol rotunda for a ceremony where members of Congress can greet and receive His All Holiness Patriarch Bartholomew, the 270th Ecumenical Patriarch of Constantinople, on October 21, 1997. The preparations for the ceremony will be carried out in accordance with the Architect of the Capitol. The resolution was introduced by Mr. Bilirakis and was discharged by the House Oversight Committee.

S. 562—Senior Citizen Home Equity Protection Act authorizes the Housing and Urban Development (HUD) Department to issue rules to prevent organizations from charging excess fees for advising senior citizens seeking to obtain reverse mortgages (loans that allow senior citizens to borrow against the equity in their homes). The House will call up S. 562 and insert a committee amendment that includes the amended text of three other bills (H.R. 2406, H.R. 2274, and H.R. 2227) which (1) extend certain noncontroversial public housing reform provisions that expire at the end of this fiscal year for an additional 12 months; (2) extend the authorization for the rural housing program for two additional years; and (3) extend the national flood insurance program for another two years. A CBO cost estimate was unavailable at press time. The measures were not considered by the committee.

Additional Information: See *Legislative Digest*, Vol. XXVI, #25, September 12, 1997.



H.R. 2159—FY 1998 Military Construction Appropriations Act (Conference Report)

Floor Situation: The House is scheduled to consider the conference report to H.R. 2016 after it completes consideration of the scheduled suspensions. Conference reports are privileged and may be considered any time three days after they are filed; they are debatable for one hour and do not require a rule for consideration. Nevertheless, on Thursday, September 11, the Rules Committee granted a rule waiving all points of order against the conference report and its consideration.

Summary: The conference report to H.R. 2016 appropriates \$9.2 billion in FY 1998, \$248,000 more than the House-passed bill and \$610 million less than last year. Specifically, it provides (1) \$3.2 billion for domestic and overseas military construction projects; (2) \$3.9 billion for military family housing, which includes \$900 million for new family housing units and improvements to existing units, and \$3 billion for operation and maintenance of existing units; and (3) \$2.1 billion for base realignment and closure accounts. Although the overall amounts are approximately the same as in the House-passed bill, some of the priorities and specific projects funded by the report differ. The House passed H.R. 2016 by a vote of 395-14 on July 8, 1997. The Senate approved the bill by a vote of 98-2 on July 22, 1997. The conference report was submitted by Mr. Packard.

Views: The Republican leadership supports passage of the measure. An official Clinton Administration viewpoint was unavailable at press time.

Additional Information: See *Legislative Digest*, Vol. XXVI, #25, September 12, 1997, and #19, July 3, 1997.



Motion to Go to Conference on H.R. 2159 (FY 1998 Foreign Operations Appropriations Act)

Floor Situation: Mr. Callahan or a designee may offer a motion to go to conference on H.R. 2159 after the House completes consideration of the conference report to H.R. 2016. Such a motion usually takes the form of a unanimous consent request. A motion to instruct may be made immediately after this request and before the chair appoints conferees. Instructions are considered the prerogative of the minority and are debatable for one hour.

Summary: The motion, if agreed to, will establish a House-Senate conference to resolve differences between the House version of H.R. 2159—which passed the House by a vote of 375-49 on September 4, 1997—and the Senate version, which passed the Senate by voice vote on September 5. Once agreed to, the motion permits the chair to appoint conferees. Details of a possible motion to instruct were unavailable at press time.

Views: The Republican Leadership supports the motion to go to conference, and opposes any motion to instruct conferees that would weaken the position of House negotiators.

Additional Information: See *Legislative Digest*, Vol. XXVI, #17, Pt. II, June 16, 1997.



H.R. 2264—FY 1998 Labor, HHS, and Education Appropriations Act

Floor Situation: The House is scheduled to continue consideration of H.R. 2264 after it appoints conferees on H.R. 2159. On Thursday, the House continued considering amendments under an open rule. The rule waives all points of order against consideration of the bill, as well as House rules which prohibit unauthorized appropriations, legislative provisions in an appropriations bill, and reappropriations. The rule accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, provided that it follows a regular 15-minute vote. The rule also waives House rules that prohibit non-emergency amendments from being offered to a bill containing an emergency designation under the Budget Act. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 2264 appropriates \$80 billion in discretionary budget authority—\$5.3 billion more than last year and \$117 million less than the president’s request—for the Departments of Labor, Health and Human Services (HHS), Education, and a wide range of related agencies. The discretionary amount is approximately equal to the subcommittee’s 602(b) allocation. Including mandatory spending (the amount over which the Appropriations Committee does not have jurisdiction), the bill provides \$279 billion, \$8.1 billion less than last year and \$245 million less than the president’s request. The bill provides no funding for approximately 20 programs which received FY 1997 appropriations, including Community Based Resource Centers, state student incentive grants, preventative health for the aging, Star Schools, urban community service, and various scholarships and fellowships offered by the Education Department.

CBO estimates that enactment will result in mandatory and discretionary outlays of \$188.6 billion in FY 1998, \$37.1 billion in FY 1999, \$9.8 billion in FY 2000, \$1.7 billion in FY 2001, \$82 million in FY 2002 and beyond. The bill was submitted by Mr. Porter and was reported by the Appropriations Committee by voice vote.

Views: The Republican Leadership supports passage of the measure. The Clinton Administration opposes overall funding levels, which are lower than the president's request for Goals 2000, America Reads, Pell Grants, Safe and Drug-Free Schools, Education Reform, the president's new adoption initiative, and Youth Opportunity Areas. In addition, the president has threatened a veto if several proposed amendments are adopted, including (1) prohibiting funds for the president's national testing initiative, (2) prohibiting the use of federal funds for managed care contracts which cover abortions, (3) prohibiting the use of federal funds to support the Teamster election, and (4) prohibiting the Department of Education from withholding federal funds from a public educational institution that refuses or fails to enforce affirmative action plans relating to student admissions.

Amendments: At press time, the *Legislative Digest* was aware of the following amendments (listed in alphabetical order) to H.R. 2264:

Mr. Coburn and **Mr. Ackerman** may offer an amendment (#36) to prohibit the use of funds to conduct "blind" HIV tests on newborns. "Blind" tests do not identify the individual from whom the samples were taken. Although "blind" tests have not been taken since 1995, the Center for Disease Control is considering re-implementing the program. Supporters argue that "blind" tests prevent the mother and the child from receiving early medical treatment that could prolong and improve their lives. *Staff Contact: Roland Foster (Coburn), x5-2701; John Berger (Ackerman), x 5-2601*

Mr. Goodling may offer an amendment (#5) to prohibit appropriated funds from being used to develop national reading tests for fourth graders and national mathematics tests for eighth graders. The amendment does not limit activities of the National Assessment of Educational Progress (also known as the "Nation's Report Card") or the Third International Math and Science Study. The member argues that the national tests are too controversial of a change for the president to implement without congressional authorization. *Staff Contact: Kent Talbert, x5-6558*

Mr. Gordon and **Ms. Roukema** may offer an amendment to prohibit educational institutions from awarding Pell Grants to students if the institution is ineligible to participate in federal student loan programs because of a high loan default rate. *Staff Contact: Louis Finkel (Gordon), x5-4231; Lisa Bleier (Roukema), x5-4465*

Mr. Hoekstra may offer an amendment (#42) to Title V of the bill to prohibit the use of federal funds to oversee a rerun of the 1996 Teamster election, unless the president certifies that the Teamsters do not have sufficient funds to conduct the rerun. If the president makes such a certification, the Labor Department may provide a loan to the Teamsters. Last fall, the federal government spent \$20 million to supervise a mail-in election. Last month, the results of the election were voided and a new election has been recommended by a federal court election monitor because of finance violations. *Staff Contact: Amy Plaster, x5-4401*

Mr. Hoekstra may offer an amendment (#41) to Title V of the bill to prohibit the use of federal funds for a court-appointed election officer to oversee any future Teamster election. The federal

government has used federal funds to oversee two Teamster elections as required by a 1993 court order. **Staff Contact:** *Amy Plaster, x5-4401*

Mr. Nadler may offer an amendment (#7) to prohibit any Medicaid funds from being paid to a health insurance provider that limits the type of conversations a physician can have with a patient regarding advice on possible medical treatments. In effect, the amendment establishes an “anti-gag rule” to guarantee physicians the right to advise their patients on available health care options, regardless of whether those options are covered by the patient’s insurance plan. Supporters argue that physicians should not be hindered from providing the best advice available because of a health contract. Opponents argue that the amendment will unduly increase insurance costs and lead to unnecessary medical tests and procedures. **Staff Contact:** *Josh Greene, x5-5635*

Mr. Nadler may offer an amendment (#8) to prohibit federal funds from being paid to health insurance providers that offer bonuses or impose penalties on doctors in relation to the number of services or tests which are prescribed by the doctor. Supporters argue that physicians should not be hindered from providing the best services available because of a health contract. Opponents argue that the amendment will result in increased insurance costs and that tighter controls over physician procedures are needed before such a measure can be enacted. **Staff Contact:** *Josh Greene, x5-5635*

Mr. Nadler may offer an amendment (#9) to prohibit the use of Medicaid funds for payments to a health insurance provider unless insurance coverage is provided for items that the treating physician, in consultation with the patient, determines are medically necessary for the patient, and the patient’s health care provider pays for the services in a manner that is consistent with the patient’s health care plan. **Staff Contact:** *Josh Greene, x5-5635*

Mr. Riggs may offer an amendment (#14) to prohibit the Education Department from imposing sanctions on states that elect not to provide special education, under the Individuals with Disabilities Education Act, to incarcerated individuals aged 18 to 21 years. Supporters say states should not be required to spend limited federal and state funds on convicted felons. Opponents believe that a key component to rehabilitating prisoners is to provide them with a solid education. **Staff Contact:** *Trent Barton, x5-3311*

Mr. Riggs may offer an amendment (#31) to prohibit the Department of Education from withholding federal funds from a public educational institution that refuses or fails to enforce affirmative action plans relating to student admissions. The amendment intends to apply to states (e.g., California) where enforcing affirmative action plans is prohibited by state law or court-order. **Staff Contact:** *Mark Davis, x5-3311*

Additional Information: See *Legislative Digest*, Vol. XXV, #23, August 29, 1997.



PLEASE NOTE: UNDER AN OPEN RULE, MEMBERS MAY OFFER NEW AMENDMENTS TO A BILL AT ANY TIME, REGARDLESS OF WHETHER THEY HAVE BEEN PRE-PRINTED IN THE *CONGRESSIONAL RECORD*.

House

REPUBLICAN

Conference

Amendment

Alert!

Please attach the text of the amendment (if available) and fax to the *Legislative Digest* at x5-7298

John Boehner
Chairman
8th District, Ohio

Member Sponsoring Amendment: _____ Bill #: _____

Additional Co-sponsors (if any): _____

Staff Contact: _____ Phone #: _____ Evening Phone #: _____

Description of the amendment: _____

(Please include any additional or contextual information)

Reason for offering amendment (e.g., How will this change the bill or current law? Why should members support this change?): _____

Legislative Digest reserves the right to edit descriptions for style, readability, and provisional accuracy.

1013 LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, DC 20515 (202) 226-2302